

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAYER HEALTHCARE AG, ALCON,
INC., and ALCON MANUFACTURING,
LTD.,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

C.A No. 06-234 (SLR)

STIPULATION

This stipulation sets forth the parties' agreement with respect to the substitution of Alcon Research, Ltd. for Alcon Manufacturing Ltd. as a plaintiff in this action. Specifically, on January 1, 2008, Alcon Manufacturing, Ltd. was merged into Alcon Research, Ltd. As such, Alcon Research, Ltd. is now the exclusive licensee under U.S. Patent No. 6,716,830. The parties hereby agree that the substitution shall be made effective this date, subject to order of the Court. In addition, the supplemental corporate disclosure required by F.R.C.P. Rule 7.1 and attached hereto as Exhibit A shall be deemed filed and served as of the date of this Order.



Frederick L. Cottrell, III (#2555)
cottrell@rlf.com
Jeffrey L. Moyer (#3309)
moyer@rlf.com
Anne Shea Gaza (#4093)
gaza@rlf.com
RICHARDS, LAYTON & FINGER,
P.A.
One Rodney Square
920 North King Street
Wilmington, Delaware 19801
(302) 651-7700 (telephone)
(302) 651-7701 (facsimile)

OF COUNSEL:
Bruce R. Genderson
Adam L. Perlman
David I. Berl
Dov P. Grossman
Stanley E. Fisher
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, DC 20005
(202) 434-5000 (telephone)
(202) 434-5029 (facsimile)

*Attorneys for Plaintiffs
Bayer HealthCare AG, Bayer
Pharmaceuticals, Corp., Alcon, Inc.
and Alcon Manufacturing, Ltd.*

/s/ Richard D. Kirk

Richard D. Kirk (#0922)
rkirk@bayardfirm.com
Ashley B. Stitzer
astitzer@bayardfirm.com
THE BAYARD FIRM
222 Delaware Ave., Suite 900
P.O. Box 25130
Wilmington, DE 19899
(302) 655-5000 (telephone)

OF COUNSEL:
Bruce M. Gagala
M. Daniel Hefner
Douglas A. Robinson
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza
180 N. Stetson Avenue, Ste 4900
Chicago, IL 60601
(312) 616-5600 (telephone)

*Attorneys for Defendant Teva
Pharmaceuticals USA, Inc.*

SO ORDERED this ____ day of _____, 2008.

Honorable Sue L. Robinson
United States District Judge

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE


| | | |
|-----------------------------------|---|----------------------|
| BAYER HEALTHCARE AG, ALCON, INC., |) | |
| and ALCON RESEARCH, LTD., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | C. A. No. 06-234 SLR |
| |) | |
| TEVA PHARMACEUTICALS USA, INC., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ALCON RESEARCH, LTD.'S RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Alcon Research, Ltd., a corporation organized and existing under the laws of the State of Delaware, states that Alcon Holdings, Inc. (itself wholly-owned by Plaintiff Alcon, Inc.) is the parent corporation of Alcon Research, Ltd.

OF COUNSEL:

Bruce R. Genderson
Adam L. Perlman
David I. Berl
Dov P. Grossman
Stanley E. Fisher
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, DC 20005
(202) 434-5000


Frederick L. Cottrell III (#2535)
cottrell@rlf.com
Jeffrey L. Moyer (#3309)
moyer@rlf.com
Anne Shea Gaza (#4093)
gaza@rlf.com
Richards, Layton & Finger P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
(302) 651-7700

Dated: January 22, 2008

*Attorneys for Plaintiffs Bayer Healthcare AG,
Alcon, Inc. and Alcon Research, Ltd.*